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Date: 8/28/2013 3:59:33 PM
Subject: EPA Preliminary Comments on Area 1 FS

Chase,

I am glad we had a chance to discuss EPA's preliminary comments on the Area 1 FS. As we complete the review we will provide you with more feedback. Below are the list of issues that I highlighted today.

Thanks
Jim Saric

1. ASTM: The FS needs to reflect that the original FS was submitted to EPA with the ASTM and that this version has been rewritten and that the ASTM will not be resubmitted as an attachment but it has been reformatted and necessary portions incorporated into the FS to support the remedies. Unfortunately there are sections of the ASTM which were directly attached (i.e. Appendix G) that did not incorporate EPA's required changes, so those will have to be made.
2. RAO 1: Not sure why you reworded what was provided in EPA's comments and submitted to Chase in an email in April based upon changes in the MDEH calculations. This information was agreed upon. You should revised to the exact wording provided in that email or under RAO 1 include that the *The fish tissue goal for bass will be achieved by reducing sediment PCB SWAC in each of eight segments of the river in Area 1 to 0.33 ppm or less as soon as possible following completion of the remedial action*
3. Fish PRG is inconsistent with RAO 1 (0.11 vs. 0.2) number in Executive summary and the rest of the document. Also Appendix I uses a "concentration to achieve" of (0.23). These numbers are all inconsistent. We believe the Fish PRG should be 0.11, which is consistent with the high end sport angler 100% SMB diet, and that the fish trends need to be revised to reflect the time period to achieve the (0.11). This will not impact any of the remedies as it only impacts the time period to achieve the fish tissue levels.
4. BACKGROUND: Background must include both Morrow and Caresco dam areas in the discussion and calculations. However, background is not going to limit our decisions at this point. Further, as EPA and MDEQ has commented in the previous FS. Morrow is not a better background location than Caresco. You can use that information to show potential background values and ranges. That will be used for future comparison as fish tissue declines, or not, post remedy. However the high end of current background (0.23) cannot be used as the concentration to achieve for fish tissue.
5. The report can do a much better job summarizing the TBERA. There were comments that were made by EPA that were not included in the corresponding attachments and the conclusions and uncertainty discussion provided is not quite correct. EPA will provide comments on this.
6. The Flood plain PRG of 11 ppm should include protectiveness statements for avian species, as it was not solely derived based upon shrews. Need to include language and reference Appendix G. Also, there needs to be more discussion on why the RAL of 20 was selected for the floodplains, as well as the percentage of home ranges protected or not protected. Need to include this information in Chapter 2.
7. The sediment PRG does not provide enough rationale for its selection. Also, it should include the discussion of the MDEQ detection limit, as that was also part of the reasoning behind the selection of (0.33).
8. EPA recalculating the SWACs for Portage Creek. We will provide that. However, this document does not describe any rationale for additional work, or not, in Portage Creek. This should be treated no differently than work completed in Section 8 (Plainwell dam)
9. Delete the scoring and ranking of each remedy as it should not be part of the FS, as it's too subjective, further EPA does not concur with the scoring and ranking and conclusions about preferred remedies in Chapters 4, 5, and 6.
10. The Fish trend discussion Chapter 4, table 4-1 and Appendix I do not break fish trends down by each sediment alternative. EPA requested this trend approach in our previous FS and comments and our recent discussion. The current FS can not support the conclusions that there are no differences in fish tissue reduction rates between sediment remedies 3 and 4, since this information wasn't provided.
11. Bring back some of the mass removal discussion from the previous FS in relation to RAO 4 for the various sediment alternatives, and the overall remaining mass and potential mass removal from the remaining hot spots. This is particularly important for the Sed 3 and Sed 4 remedies.
12. I don't believe a TSCA ARAR waiver is necessary, just risked-based approval. Not sure about MI NREPA water quality standard technical impracticability determination.
13. The floodplain remedies do not discuss residential sampling, as mentioned as required in Chapter 3.